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Marine and General Insurance Company
10

11 UNITED STATES DISTRICT COURT
12
13 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
14

15 NEW YORK MARINE AND
GENERAL INSURANCE COMPANY,
a New York corporation,

16 Plaintiff,

17 v.

18 AMBER HEARD, an individual,,

19 Defendant.
20

21 AMBER HEARD, an individual,

22 Counter-Claimant

23 v.

24 NEW YORK MARINE AND
GENERAL INSURANCE COMPANY,
a New York Corporation,

25 Counter-Defendant
26

27 Case No. 2:22-cv-04685-GW(PDx)
28 Consolidated for Pre-Trial Purposes
with 2:21-cv-5832-GW (PDx)

**NEW YORK MARINE AND
GENERAL INSURANCE
COMPANY'S NOTICE OF CROSS-
APPEAL**

Hon. George H. Wu

Complaint Filed: July 8, 2022

[*Representation Statement filed
concurrently herewith*]

1 PLEASE TAKE NOTICE that Plaintiff and Counter-Defendant New York
2 Marine and General Insurance Company (“NY Marine”), hereby cross-appeals to the
3 United States Court of Appeals for the Ninth Circuit from (1) the Court’s August 14,
4 2023 Order dismissing NY Marine’s First Amended Complaint with leave to amend,
5 and (2) the Court’s final Order of October 12, 2023 dismissing both NY Marine’s
6 second amended complaint without leave to amend and the entire action with
7 prejudice. True and correct copies of the August 14, 2023 Order and the October 12,
8 2023 Final Judgment are attached hereto as Exhibits 1 and 2, respectively.

9 PLEASE TAKE FURTHER NOTICE that pursuant to Federal Rule of
10 Appellate Procedure 12(b) and Ninth Circuit Rules 3-2(b) & 12-2, NY Marine’s
11 representation statement is filed concurrently with this Notice.

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13 Dated: November 16, 2023

14 MCCORMICK, BARSTOW, SHEPPARD,
15 WAYTE & CARRUTH LLP

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By: /s/ James P. Wagoner

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13 Defendant-Appellant New York Marine and

14 New York Marine and General Insurance

15 Company